

Scannell, re TDS exceedance at Station 7S [on July 27, 1999], July 28, 1999. TC 001625 RD.

RESPONSE: Admitted; however, the email reporting the apparent violation was supplemented by the revised DMR dated March 1, 2003 bates numbers TC 011194-11199 RD, previously provided in defendant's first supplemental disclosures.

REQUEST FOR ADMISSION NO. 77

Admit that the document attached hereto as Exhibit 77 is a true and correct copy of a letter from Mark Thompson, Teck Cominco, to Randall Smith, EPA, re NPDES Permit # AK-003865 Outfall 001 and cyanide exceedance on July 22 and 30, August 13, 2001. TC 001667 RD.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 78

Admit that the document attached hereto as Exhibit 78 is a true and correct copy of a letter from Mark Thompson, Teck Cominco, to Randall Smith, EPA, re NPDES Permit #AK-004064-9 [and the 5/9/02 pipeline leak and effluent on tundra with attached Oil & Hazardous Substances Spill Report], May 9, 2002. TC 001841-1848 RD.

RESPONSE: Admitted.

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KRPC v. TCAK-Answers to Request for Admissions
A02-231 CV (JWS)
Page 2 of 18

Ex 6
245

REQUEST FOR ADMISSION NO. 79

Admit that the document attached hereto as Exhibit 79 is a true and correct copy of a letter from Mark Thompson, Teck Cominco, to Randall Smith, EPA, re NPDES Permit #AK-004064-9 [and the absent analytical result for fecal coliform], May 10, 2002. TC 001850 RD.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 80

Admit that the document attached hereto as Exhibit 80 is a true and correct copy of a letter from Mark Thompson, Teck Cominco, to Randall Smith, EPA, re NPDES Permit #AK-004064-9 [and the 5/10/02 runoff of untreated water to tundra because of overflow of retention ponds with attached Oil & Hazardous Substances Spill Report], May 10, 2002. TC001851-1858 RD.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 81

Admit that the document attached hereto as Exhibit 81 is a true and correct copy of a fax from John Martinisko, Teck Cominco, to Joe Roberto, re UV system problems and

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KRPC v. TCAK-Answers to Request for Admissions
A02-231 CV (JWS)

Page 3 of 18

Ex 6
3 of 5

fecal coliform exceedence [with attached Northern Testing lab fax to Ed Grant, Teck Cominco, re fecal count exceedence], June 29, 1999. TC 001936-1938 RD.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 82

Admit that the document attached hereto as Exhibit 82 is a true and correct copy of a fax transmittal sheet from John Martinisko, Teck Cominco, to Joe Roberto, EPA, re UV system malfunction [and the 6/24 fecal coliform exceedence], June 29, 1999. TC 003980 RD.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 83

Admit that the document attached hereto as Exhibit 83 is a true and correct copy of NPDES Permit #AK-003865-2 (Mine Site), Discharge Monitoring Report, June 2002, dated July 15, 2002. TC 001399-1451 RD.

RESPONSE: Admitted.

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KRPC v. TCAK-Answers to Request for Admissions
A02-231 CV (JWS)

Page 4 of 18

Exh 6
4 of 5

REQUEST FOR ADMISSION NO. 84

Admit that the document attached hereto as Exhibit 84 is a true and correct copy of NPDES Permit #AK-003865-2 (Mine Site), Discharge Monitoring Report, July 2002, dated August 14, 2002. 003625-003674.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 85

Admit that the document attached hereto as Exhibit 85 is a true and correct copy of NPDES Permit #AK-003865-2 (Mine Site), Discharge Monitoring Report, August 2002, dated September 16, 2002. 003675-003723.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 86

Admit that the document attached hereto as Exhibit 86 is a true and correct copy of NPDES Permit #AK-003865-2 (Mine Site), Discharge Monitoring Report, September 2002, dated October 14, 2002. TC 005747-5795 RD.

RESPONSE: Admitted.

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KRPC v. TCAK-Answers to Request for Admissions
A02-231 CV (JWS)

Page 5 of 18

Exh 6
5 of 5

REQUEST FOR ADMISSION NO. 87

Admit that the document attached hereto as Exhibit 87 is a true and correct copy of NPDES Permit #AK-003865-2 (Mine Site), Discharge Monitoring Report, October 1-6, 2002, dated November 13, 2002. 003724-003774.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 88

Admit that the document attached hereto as Exhibit 88 is a true and correct copy of NPDES Permit #AK-004064-9 (Port Site), Discharge Monitoring Report, February 2000, dated March 10, 2000. 003775-003785.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 89

Admit that the document attached hereto as Exhibit 89 is a true and correct copy of NPDES Permit #AK-004064-9 (Port Site), Discharge Monitoring Report, March 2000, dated April 5, 2000. TC 005573-5584 RD.

RESPONSE: Admitted.

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KRPC v. TCAK-Answers to Request for Admissions
A02-231 CV (JWS)

Page 6 of 18